
WELSH STATUTORY INSTRUMENTS

2023 No. 567

**The Public Procurement (International Trade Agreements)
(Amendment) (Wales) (No. 2) Regulations 2023**

Amendment to the Public Contracts Regulations 2015

- 2.—(1) The Public Contracts Regulations 2015⁽¹⁾ are amended as follows.
- (2) In regulation 2 (definitions), in paragraph (1)—
- (a) omit the definition of “invitation to confirm interest”;
 - (b) in the definition of “procurement document”, omit “the prior information notice where it is used as a means of calling for competition”.
- (3) In regulation 6 (methods for calculating the estimated value of procurement), in both paragraphs (15A) and (20), omit “that is not a devolved Welsh authority”.
- (4) In regulation 18 (principles of procurement), in paragraph (4), omit “that are not devolved Welsh authorities”.
- (5) In regulation 22 (rules applicable to communication)—
- (a) in paragraph (14)(a), omit “or from the date when the invitation to confirm interest is sent”;
 - (b) in paragraph (15)(b), omit “or the invitation to confirm interest”.
- (6) In regulation 26 (choice of procedures)—
- (a) in paragraph (8), for “Subject to paragraph (9), the” substitute “The”;
 - (b) omit paragraphs (9) and (10).
- (7) In regulation 27 (open procedure), in paragraph (4), omit “which was not itself used as a means of calling for competition”.
- (8) In regulation 28 (restricted procedure)—
- (a) omit paragraph (2)(b) and the “, or” before it;
 - (b) in paragraph (6), omit “which was not itself used as a means of calling for competition”.
- (9) In regulation 29 (competitive procedure with negotiation)—
- (a) omit paragraph (4)(b) and the “, or” before it;
 - (b) in paragraph (6), omit “which was not itself used as a means of calling for competition”;
 - (c) in paragraph (15), omit “or in the invitation to confirm interest”;
 - (d) in paragraph (19), omit “, in the invitation to confirm interest”;
 - (e) in paragraph (20), omit “, the invitation to confirm interest”.
- (10) In regulation 33 (framework agreements), in paragraph (5), omit “or the invitation to confirm interest”.
- (11) In regulation 34 (dynamic purchasing systems)—

⁽¹⁾ [S.I. 2015/102](#), amended by [S.I. 2020/1319](#), [S.I. 2021/787](#), [S.I. 2022/766](#) and [S.I. 2023/484](#). There are other amending instruments but none which are relevant.

- (a) omit paragraph (9)(b) and the “, or” before it;
 - (b) in paragraph (23), omit “or in the invitation to confirm interest”.
- (12) In regulation 35 (electronic auctions), in paragraph (7), omit “or in the invitation to confirm interest”.
- (13) In regulation 36 (electronic catalogues), in paragraph (5)(a), omit “or in the invitation to confirm interest”.
- (14) In regulation 45 (variants), in paragraph (2), omit “or in the invitation to confirm interest”.
- (15) In regulation 46 (division of contracts into lots), in each of paragraphs (3), (4) and (6), omit “or in the invitation to confirm interest”.
- (16) In regulation 48 (prior information notices), omit paragraphs (5), (6) and (8).
- (17) In regulation 50 (contract award notices), omit paragraph (3).
- (18) In regulation 53 (electronic availability of procurement documents)—
- (a) in paragraph (1), omit “or the date on which an invitation to confirm interest is sent”;
 - (b) in each of paragraphs (2), (3) and (4), omit “or the invitation to confirm interest”.
- (19) In regulation 54 (invitations to candidates)—
- (a) omit paragraph (2);
 - (b) in paragraph (3), for “paragraphs (1) and (2)” substitute “paragraph (1)”;
 - (c) in paragraph (4)(e), omit “in the invitation to confirm interest,”;
 - (d) omit paragraph (6).
- (20) In regulation 56 (general principles in awarding contracts etc), in paragraph (1)(a), omit “or the invitation to confirm interest”.
- (21) In regulation 58 (selection criteria), in paragraph (19), omit “or in the invitation to confirm interest”.
- (22) In regulation 65 (reduction of the number of otherwise qualified candidates to be invited to participate), in paragraph (2), omit “or in the invitation to confirm interest”.
- (23) In regulation 75 (publication of notices), omit paragraph (1)(b) and the “; or” before it.
- (24) In regulation 76 (principles of awarding contracts), in paragraph (3), omit “or prior information notice”.
- (25) In regulation 110 (publication of contract award opportunities on Contracts Finder), omit paragraph (7).
- (26) In Schedule 4A (international trade agreements), before the entry for the Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and Australia, omit “For contracting authorities that are not devolved Welsh authorities:”.